REMARKS

In the Office Action,[1] the Examiner rejected claims 1, 2, 4, 5, 7, 9, 11-15, 17-19, 21, and 22 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent Application Publication No. 2002/0015042 to *Robotham* in view of U.S. Patent Publication No. 2003/0063072 to *Brandenberg*.

By this response, Applicants have amended claims 1, 2, 11, 13-15, 18, 19, and 21. Claims 1, 2, 4, 5, 7, 9, 11-15, 17-19, 21, and 22 are pending.

I. The Telephonic Interview of April 20, 2010

Applicants would like to thank the Examiner for the time and courtesy extended during the telephonic interview of April 20, 2010. During the interview, the Examiner indicated that he had discussed this case with a primary Examiner, and reached a tentative conclusion regarding allowable subject matter. In particular, the Examiner mentioned that including recitations such as "pre-render[ing] ...future user interface appearances corresponding to the generated future user interface states" in the independent claims would overcome the rejections of record, and receive favorable consideration by the Examiner. Accordingly, Applicants have amended the claims in accordance with the Examiner's suggestion.

[1] The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

II. The Rejection under 35 U.S.C. § 103 (a)

Applicants respectfully traverse the rejection of claims 1, 2, 4, 5, 7, 9, 11-15, 17-19, 21, and 22 under 35 U.S.C. § 103(a). No *prima facie* case of obviousness has been established.

Claim 1 recites a combination of elements including, for example, instructions to:

> select one or more of the future user interaction events to pre-process based on the estimated likelihoods that the future user interaction events will occur;
> pre-process the selected future user interaction events to generate one or more future user interface states while the user interface is in the current user interface state; [and]
> pre-render, while the user interface is in the current user interface state, future user interface appearances corresponding to the generated future user interface states ...

(emphasis added). The cited references do not teach or even suggest at least this feature of claim 1.

Robotham discloses displaying visual content on a client device by rendering the content on a server, transforming the visual content into bitmaps compatible with the client device, and transmitting the bitmaps to the client device (*Robotham*, abstract). *Robotham* also discloses "selection events" corresponding to active choices by users at the client, and "echoing" the selection events to the server (*Robotham*, ¶ 291). The server may "pre-fetch" content related to an area of visual content related to the selection event (*Robotham*, ¶ 297).

However, *Robotham's* "pre-fetch[ed]" content is not "pre-render[ed] while the user interface is in the current user interface state." Rather, *Robotham's* disclosure that the content is "pre-fetch[ed]" indicates that the content has already been rendered

before the selection event is received. Furthermore, the Office Action concedes that *Robotham* does not teach or suggest "determining an estimated likelihood for the future user interaction events to occur based on a history of previous user inputs to the user interface and select one or more of the future user interaction events to pre-process based on the estimated likelihoods for the future user interaction events" (Office Action at pages 4-5). Accordingly, as agreed to by the Examiner during the interview, *Robotham* also fails to teach or suggest "select [ing] one or more of the future user interaction events to pre-process based on the estimated likelihoods that the future user interaction events will occur; pre-process[ing] the selected future user interaction events to generate one or more future user interface states while the user interface is in the current user interface state; [and] pre-render[ing], while the user interface is in the current user interface state, future user interface appearances corresponding to the generated future user interface states," as recited by independent claim 1 (emphasis added).

Brandenberg discloses a method and apparatus wherein a software scheduling apparatus is part of a probabilistic modeling system that operates to perform constrained random variation with selection (*Brandenberg*, abstract). In *Brandenberg*, digital content is stored as well as contextual profiles users, and the software scheduling agent determines which digital content should be offered to each user based on the contextual user profiles (*Id.*). *Brandenberg* also discloses using destination-specific and self-routing to direct content items to users, for example when the system predicts the user will want or need a particular content item (*Brandenberg*, ¶ 803).

The Office Action relies on *Brandenberg's* disclosure of routing content items to users who are predicted to want or need the content item in addressing certain recitations of independent claim 1 (Office Action at pages 5-6). However, *Brandenberg* does not disclose or suggest, for example, "pre-render[ing]" the content items. Furthermore, even assuming *Brandenberg* discloses "select[ing] ... future user interaction events ... based on the estimated likelihoods that future user interaction events will occur" (a position Applicants do not concede), *Brandenberg* does not disclose or suggest either "pre-process[ing] the selected future interaction events" or "pre-render[ing] ... future user interface appearances." Therefore, as conceded by the Examiner during the interview, *Brandenberg* does not teach or suggest "select [ing] one or more of the future user interaction events to pre-process based on the estimated likelihoods that the future user interaction events will occur; pre-process[ing] the selected future user interaction events to generate one or more future user interface states while the user interface is in the current user interface state; [and] pre-render[ing], while the user interface is in the current user interface state, future user interface appearances corresponding to the generated future user interface states," as recited by independent claim 1 (emphasis added).

For the reasons discussed above, no *prima facie* case of obviousness has been established with respect to independent claim 1, and claim 1 is allowable. Claims 2, 4, 5, 7, 9, 11-13 and 22 are also allowable at least due to their dependence from claim 1.

Independent claims 14 and 18, though of different scope from claim 1, recite elements similar to those set forth above for claim 1. Claims 14 and 18 are therefore

allowable for at least the reasons presented above with respect to claim 1. Claims 15, 17, 19, and 21 are also allowable at least due to their dependence from claims 14 and 18.

III. Conclusion

In view of the foregoing, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

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By: _____
Steven D. Thomas, Jr.
Reg. No. 64,421